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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,878	10/20/2003	Shunichiro Nonaka	0905-0293P	2083
2292	7590	02/18/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			CHEN, PO WEI	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,878

Applicant(s)

NONAKA, SHUNICHIRO

Examiner

Po-Wei (Dennis) Chen

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/20/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claims 1-4 are pending in this application. Claims 1 and 3 are independent claims.

The present title of the invention is "Image correction method and system". This action is non-final.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohara et al. (US 5,926,617; refer to as Ohara herein).

3. Regarding claim 1, Ohara discloses a method of determining display characteristic function comprising:

An image correction method comprising: displaying, for every image display device, a reference image on a display screen of each image display device (lines 24-50 of column 3, line 66 of column 7 to line 20 of column 8 and line 4 of column 16 to line 18 of column 17; test image corresponds to reference image and for any type of display, a test image can be obtained to display);

measuring a display characteristic for every image display device based upon the displayed reference image (line 66 of column 7 to line 20 of column 8; it is noted that the test image characteristics such as black point are determined);

Art Unit: 2676

calculating, for every image display device, a correction parameter, which corrects the image displayed on the display screen of the image display device, based upon the measured display characteristic (lines 4-62 of column 9; the correction function is determined partly using determined black point);

correcting image data, which represents an image to be displayed on the display screen of an image display device, using a corresponding correction parameter from among the calculated correction correcting image data, parameters; and applying the corrected image data to the corresponding image display device (lines 34-61 of column 11; it is noted that the correction function (gamma) is applied to the test image until the brightness of the test image becomes uniform (corrected)).

4. Regarding claim 3, statements presented above, with respect to claim 1 are incorporated herein.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara et al. (US 5,926,617; refer to as Ohara herein) as applied to claims 1 and 3 above, and further in view of Cottone et al. (US 6,677,958; refer to as Cottone herein).

7. Regarding claim 2, Ohara discloses a method of determining display characteristic function comprising:

Art Unit: 2676

in response to an image-data transmit request from said electronic device, the type of electronic device that issued the transmit request, or the type of display device thereof is found; and processing for correcting the image data includes correcting the image data, which represents the image to be displayed on the image display device of said electronic device, using a correction parameter, which corresponds to the found type, from among the calculated correction parameters (lines 13-61 of column 11, line 40 of column 13 to line 51 of column 14 and lines 14-45 of column 16 and Fig. 13 and 20; it is noted that the depending on the types of display, the correction function is determined).

Ohara does not disclose the image display device is an electronic device having a communication function. Cottone discloses a method for calibrating a color flat panel display utilizing the device (line 20 of column 1 to line 62 of column 2; it is noted that Cottone refers to the improving method of calibrating can be used on display such as a cell phone, which corresponds to an electronic device having a communication function). It would have been obvious to one of ordinary skill in the art to substitute the displaying device of Cottone for the displaying device of Ohara because Cottone teaches that utilizing the device would allow one to enhance the quality of display on devices such as cell phone (line 20 of column 1 to line 62 of column 2).

8. Regarding claim 4, statements presented above, with respect to claim 2 are incorporated herein.

Art Unit: 2676

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C Bella can be reached on (703) 308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen
Examiner
Art Unit 2676

Po-Wei (Dennis) Chen
February 11, 2005

A handwritten signature in black ink, appearing to read 'Kee M. Tung', with a long horizontal flourish extending to the right.

Kee M. Tung
Primary Examiner